

### **III. REMARKS**

Claims 1-34 are pending in this application. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Office, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the subject matter. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-34 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Jones *et al.* (U.S. Patent Pub. No. 2005/0071853), hereafter “Jones.” Initially, Applicants apologize for the tardiness of the declaration under 37 C.F.R. §1.131. This declaration has now been filed.

#### **REJECTION OF CLAIMS 1-34 UNDER 35 U.S.C. §102(e)**

With regard to the 35 U.S.C. §102(e) rejection over Jones, Applicants assert that Jones is not a proper reference under 35 U.S.C. §102(e). For example, the functions upon which Jones relies to perform its tasks are provided by the IBM WebSphere application in which aspects of the claimed invention reside. To this extent, Jones is built upon the foundation laid by the claimed invention. As such, the claimed invention was conceived and reduced to practice prior to the invention of Jones. A declaration under 37 C.F.R. §1.131 to this effect has been prepared

and has been filed. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

#### **IV. CONCLUSION**

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,



Date: February 14, 2007

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